

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CLYDE PONTEFRACT, Petitioner, v. UNITED STATES OF AMERICA, Respondent.	Civil Action No. 24-10776 (GC) <u>MEMORANDUM & ORDER</u>
--	--

CASTNER, District Judge

Petitioner is a federal prisoner currently incarcerated at FCI Fort Dix, Fort Dix MDL, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (“Section 2241”). (ECF No. 1 (“Petition”).) On December 5, 2024, the Court entered a memorandum and order directing the Clerk of the Court to administratively terminate this matter, without filing the Petition, and stating that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing within 30 days and submit a complete, signed habeas petition on the appropriate form *and* either (i) a complete IFP application or (ii) the five-dollar filing fee (ECF No. 2 at 1-2.)

On December 31, 2025, the Court entered a text order granting Petitioner’s motion for an extension of time (ECF No. 3). (ECF No. 4.) The Court stated that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing within 90 days of the date of the text order and submit a complete, signed habeas petition on the appropriate form *and* either (i) a complete IFP application or (ii) the five-dollar filing fee. (*Id.*)

On February 5, 2025, the Court denied Petitioner's motion for clarification (ECF No. 5) in which he asked the Court to "clarify" if "(1) there is another form for Statutory Interpretation, to please send to me," or (2) "allow myself to file my 28 U.S.C. § 2241 Statutory Interpretation Motion with any forms from the District Court." (ECF No. 6.)

A complete, signed habeas petition on the appropriate form was received on February 21, 2025. (ECF No. 7 ("Amended Petition").)

The \$5 filing fee (receipt number TRE142784) was received on February 25, 2025.

In accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to Section 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Amended Petition for dismissal and determined that dismissal without an answer and the record is not warranted.

IT IS, therefore, on this day 28th day of February, 2025, **ORDERED** as follows:

ORDERED that the Clerk of the Court shall **REOPEN** this matter; and it is further

ORDERED that the Clerk of the Court shall serve a copy of the Amended Petition (ECF No. 7), the original Petition (ECF No. 1), and this Order on Respondent by regular U.S. mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk of the Court shall forward a copy of the Amended Petition, the original Petition, and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further

ORDERED that within forty-five (45) days of the date of the entry of this Order, Respondent shall file and serve a response which responds to the allegations and grounds in the Amended Petition and which includes all affirmative defenses Respondent seeks to invoke; and it is further

ORDERED that Respondent shall file and serve with the response certified copies of all documents necessary to resolve Petitioner's claims and affirmative defenses; and it is further

ORDERED that within forty-five (45) days of receipt of the response, Petitioner may file a reply to the response; and it is further

ORDERED that within seven (7) days of Petitioner's release, Respondent shall electronically file a written notice of the same with the Clerk of the Court; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order on Petitioner by regular U.S. mail.

A handwritten signature in black ink, reading "Georgette Castner", is positioned above a horizontal line.

GEORGETTE CASTNER
United States District Judge